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Attorney Dkt.: 94150CONT

**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL**

RECEIVED  
APR 26 2001  
TECHNOLOGY CENTER 100B

Honorable Commissioner of Patents and Trademarks  
Box CPA  
Washington, D.C. 20231

First Named Inventor: Michael John Hollitt

**NOTES**

**Filing Qualifications:** The prior application identified herein must be a nonprovisional application that is either (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

**CIP Not Permitted:** A continuation-in-part cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**Express Abandonment of Prior Application:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**Access to Prior Application:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 Statement:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

Sir:

This is a request under 37 CFR 1.53(d) for a continued prosecution application (CPA) of prior Serial Number 08/935,108, filed on September 29, 1997, entitled UPGRADING TITANIFEROUS MATERIAL

This request is for a:

XX Continuation  
     Divisional

Enclosed are:

     The Response previously filed on                      in the prior nonprovisional application.

     Preliminary Amendment

     Request for Interview Prior to Action on the Merits

     Information Disclosure Statement

The filing fee is calculated for this application as follows:

	(Small Entity)	(Large Entity)
BASIC FEE	\$355	\$710
Total Claims	<u>22</u> - 20 = <u>2</u> x \$ 9= _____	x \$ 18 = \$ <u>36</u>
Independent		
Claims	<u>3</u> - 3 = <u>0</u> x \$40= _____	x \$ 80 = _____
Multiple dependent		
Claims.	+ \$135= _____	+ \$270 = _____
TOTAL		\$746.00

Small Entity Status:

\_\_\_\_\_ A small entity statement is enclosed.


\_\_\_\_\_ A small entity statement was filed in the prior application and such status is still proper and desired.

\_\_\_\_\_ Is no longer claimed.

An extension of time for 3 months in the prior application is enclosed together with the required fee of \$890.00.

A payment of \$1,636.00 is made by credit card for the filing fee and the extension of time fee. A Credit Card Payment Form (PTO-2038) is attached hereto. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 or any patent application processing fees under 37 CFR 1.17, or credit any over payment to the credit card account shown on the attached Credit Card Payment Form. Refund of all amounts overpaid, including those of twenty-five dollars or less, is specifically requested. Any fees not accepted by the credit card shown on the Form PTO-2038 may be charged to Deposit Account 04-0753.

4/26/2001  
Date

  
Ira J. Schultz  
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